

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MOSES SHERMAN and LEOLA SHERMAN,

Plaintiffs,

- against -

Case No: 07 CV 6433 (RJS)

A.J. PEGNO CONSTRUCTION CORP., et al.,

Defendant.

**AFFIDAVIT**

-----X  
STATE OF NEW YORK )

ss.:

COUNTY OF NEW YORK )


ELLIOTT J. ZUCKER, an attorney duly admitted to practice law before the courts of the state of New York, hereby affirms under the penalties of perjury and upon information and belief as follows:

1. I am a member of the law firm of AARONSON RAPPAPORT FEINSTEIN & DEUTSCH, LLP, the attorneys for defendants FORD MOTOR COMPANY and GENERAL MOTORS CORPORATION in the above-captioned litigation.

2. This affidavit is made in opposition to the plaintiffs' motion to remand this matter back to state court.

3. For the reasons articulated in the accompanying memorandum of law, it is respectfully requested that the plaintiffs' motion be denied in its entirety.

Dated: New York, New York  
October 5, 2007

  
ELLIOTT J. ZUCKER (EJZ8664)

Sworn to before me this  
5<sup>th</sup> day of October, 2007

  
NOTARY PUBLIC

598427v

RUTH A TIERNEY  
Notary Public, State of New York  
No. 01TI4898922  
Qualified in Queens County  
Commission Expires June 22, 2011